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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,654	03/31/2004	Shuji Tanaka	9319S-000711	5899

27572 7590 11/01/2006

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EXAMINER

TOLEDO, FERNANDO L

ART UNIT	PAPER NUMBER
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2823

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/814,654

Applicant(s)

TANAKA ET AL.

Examiner

Fernando L. Toledo

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 14 September 2006 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Berner et al. (U. S. Patent 6,440,178 B2).

4. In re claims 1 and 7; Berner, in the U. S. Patent 6,440,178 B2; figures 1 – 51 and related text discloses several process modules each performing several process; and an inter-process carrying means 38 for carrying a container between the process modules, the container being capable of storing several intermediate products therein, and the inter-process carrying means including at least one of an automatic carrying robot 62 and an automatic carrying vehicle; several loaders, each loader being capable of acquiring the container from the inter-process

carrying means, removing the intermediate products stored in the container, and transferring the intermediate products to one of the process modules in a single product state (Figures 3 and 4); wherein each process module includes: an intra-process carrying conveyor 60 arranged radially from the inter-process carrying means for carrying the intermediate products within each process module in the single product state in a carrying direction, the intra-process carrying conveyor having a first side, which carries the intermediate products away from the inter-process carrying means, connected to a second side, which carries the intermediate products towards the inter-process carrying means (Figure 2); and several of processing means 20/22 for performing the several processes, respectively, within each process module, each processing means having a robot 64 for acquiring and returning the intermediate products to the intra-process carrying means, and a mini-buffer for temporarily storing the intermediate products wherein the several of processing means are arranged along the first side and the second side of the intra-process carrying conveyor of the intermediate products, without arranging several of processing means for performing the same kinds of processes on the intermediate products in a group (Figure 2); wherein a series of processes to be performed on the intermediate products is completed during a single circulation of the intermediate products on the intra-process conveyor along the first side and the second side of the intra-process carrying conveyor; and wherein after completion of the series of processes, the intermediate products are loaded into the container and returned to the inter-process carrying means 39 (Figure 1).

5. In re claim 2, Berner discloses wherein the loader has a buffering function of temporarily storing the intermediate products to be transferred therein (Figure 10).

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6. In re claim 3, Berner discloses wherein the inter-process carrying means is adapted to carry a container before the maximum number of intermediate products capable of being stored in the container is reached, and the loader3 selects the several of intermediate products to be processed in the same next process module, stores the selected intermediate products in the container in a group, and transfers the container to the inter-process carrying means (Figure 12).

7. In re claim 4, 5 and 6, Berner discloses wherein the intermediate products include plate-shaped members, semiconductor wafers and liquid crystal display devices (Abstract).

Response to Arguments

8. Applicant's arguments with respect to claims 1 – 7 have been considered but are moot in view of the new ground(s) of rejection.

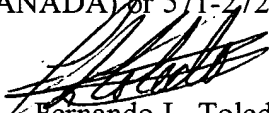
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fernando L. Toledo whose telephone number is 571-272-1867. The examiner can normally be reached on Mon-Fri 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Smith can be reached on 571-272-1907. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Fernando L. Toledo
Primary Examiner
Art Unit 2823

flt
30 October 2006